

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **SYSTEM AND METHOD FOR THE ELASTIC PROPERTIES MEASUREMENT OF MATERIALS** which was filed February 14, 2006 as U.S. Patent Application Serial No. 10/568,238.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulation, § 1.56. I hereby claim foreign priority benefits under Title 35, United States Code, §119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate disclosing the subject matter claimed in their application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority is claimed, before the filing date of this application.

Prior Foreign Application(s)

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed</u>
<u>2,437,323</u>	<u>CA</u>	<u>08/14/2003</u>	( X ) Yes ( ) No
_____	_____	_____	( ) Yes ( ) No

I hereby claim the benefit under Title 35, United States Code, §120/365 of any United States application(s) listed below and PCT International Applications listed above or below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

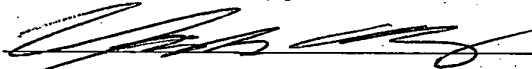
<u>(Application Number)</u>	<u>Day/Month/Year Filed</u>	<u>Status (Patented, Pending, Abandoned)</u>
_____	_____	_____

I hereby appoint the practitioners associated with Customer Number 54004 as attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Address all telephone calls to Donald W. Muirhead at telephone number (508) 898-8603. Address all correspondence to:

Muirhead and Saturnelli, LLC  
200 Friberg Parkway, Suite 1001  
Westborough, Massachusetts USA 01581

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

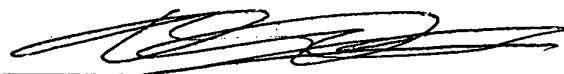
Inventor's signature



Date

June 6<sup>th</sup>, 2006Full name of sole or first inventor (given name, family name) CLAUDE ALLAIREResidence 227 Houle, St-Eustache, Quebec, Canada J7P 2L8Citizenship CanadaPost Office Address (include zip code) same

Inventor's signature



Date

June 6<sup>th</sup>, 2006Full name of sole or first inventor (given name, family name) ALAIN CARBONNEAUResidence 264, 6<sup>th</sup> Avenue, Deux-Montagnes, Québec, Canada J7R 3G4Citizenship CanadaPost Office Address (include zip code) same

(37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN

Applicant or Patentee: Claude ALLAIRE, et al.  
Serial or Patent No.: U.S. Patent Application Serial No. 10/568,238  
Filed or Issued: February 14, 2006  
Title: SYSTEM AND METHOD FOR THE ELASTIC PROPERTIES MEASUREMENT OF MATERIALS

(I hereby authorize Muirhead and Saturnelli, LLC to enter any further identifying information as needed to properly file this document)

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Groupe Réfraco Inc.  
1207 Antonio-Lemaire  
Chicoutimi, Québec G7K 1J2 CANADA

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

☒ No such person, concern, or organization exists.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

ALAIN PINEAULT  
NAME

President  
TITLE

1785 DES HEROYS  
ADDRESS CHICOUTIMI Q.C. G7H 7M6

[Signature]  
SIGNATURE

21 JUN 2006  
DATE